

Message Text

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PAGE 01 SAIGON 09075 231204 Z

44

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FM AMEMBASSY SAIGON

TO USDEL JEC PARIS IMMEDIATE

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E. O. 11652: N/ A

TAGS: PFOR PINS PINT VS

SUBJECT: RVN LETTER ON ISSUES BEFORE THE TPJMC

1. THE FOLLOWING EXERPTS FROM A LETTER OF MAY 21 ADDRESSED BY LG PHAM QUOC THUAN, CHIEF OF THE GVN DELEGATION TO THE TPJMC. TO AMBASSADOR WASILEWSKI, CHAIRMAN OF THE ICCS PROVIDE CONCISE STATEMENTS OF THE GVN POSITION ON KEY MATTERS CONNECTED WITH THE CEASEFIRE TOGETHER WITH RVN COMMENTS ON THE CORRESPONDING PRG POSITION:

2. JOINT APPEAL

A. RVN POSITION: " THE RVN DELEGATION DOES NOT REJECT THE DISSEMINATION OF A JOINT APPEAL. BUT BEFORE DISCUSSING THIS MATTER THE TWO PARTIES SHOULD AGREE ON MEASURES TO ACHIEVE A CEASEFIRE ESPECIALLY ON THE LEVEL OF COMMANDERS TO MEET. ONLY BY DOING SO WILL THE JOINT APPEAL ACHIEVE ITS OBJECTIVES".

B. RVN DESCRIPTION OF PRG POSITION: " THE PRGRSVN DELEGATION ONLY STRESSED THE IMPORTANCE OF THE JOINT APPEAL, IT DID NOT TOUCH UPON THE MEASURES TO ACHIEVE THE CEASEFIRE."

C. COMPARISON: " BASING ON THE COMPLETE INEFFICIENCY OF THE PREVIOUS JOINT APPEAL THE RVN DELEGATION CONSIDERS THE DISSEMINATION OF A JOINT APPEAL AS A PROPAGANDA SCHEME. THE PRGRSVN DELEGATION HAS INDIRECTLY RECOGNIZED THE PROPAGANDA CHARACTER OF THE LIMITED OFFICIAL USE

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PAGE 02 SAIGON 09075 231204 Z

JOINT APPEAL BECAUSE IT HAS ADMITTED AT THE CONFERENCE TABLE THAT TO USE PROPAGANDA FOR THE BENEFIT OF RECONCILIATION AND PEACE IS WORTH DOING'. FOR THIS REASON, THE PROPOSAL TO DISCUSS CONCRETE MEASURES TO ACHIEVE A CEASEFIRE BEFORE DISCUSSING THE JOINT APPEAL CAN BE CONSIDERED AS A REASONABLE PROPOSAL IN THE SEARCH OF A SOLUTION TO END VIOLATIONS."

3. MEETINGS BETWEEN COMMANDERS

A. RVN POSITION: " THE COMMANDERS WHO SHOULD MEET TO DISCUSS MEASURES TO AVERT CONFLICT SHALL BE OF THE LEVEL OF DIVISION COMMANDERS. REASON: ONLY DIVISION COMMANDERS ARE COMPETENT AND ABLE AND HAVE THE NECESSARY MEANS TO QUICKLY COMMUNICATE WITH OTHER ORGANIZATIONS TO IMPLEMENT THE AGREEMENTS REACHED."

B. RVN DESCRIPTION OF PRG POSITION: " THE COMMANDERS WHO SHOULD MEET

MIGHT BE FROM DIVISION COMMANDERS TO COMPANY COMMANDERS. REASON: THE SEPARATION OF DUTIES AND ORGANIZATION OF THE PRGRSVN AND RVN ARMED FORCES ARE DIFFERENT."

C. COMPARISON: " EACH DELEGATION HAS STRUCK TO ITS POSITION; NO CHANGE WAS MADE. HOWEVER, THE PRGRSVN USED A NEW PRETEXT, I. E. THE DIFFERENCE IN ORGANIZATION BETWEEN THE PRGRSVN AND RVN ARMED FORCES

TO DEMAND THAT THE LEVEL OF COMMANDERS WHO SHOULD MEET MAY RANGE FROM DIVISION TO COMPANY COMMANDERS. IF THIS FACT IS TRUE, I. E. THE DIFFERENCE IN ORGANIZATION BETWEEN THE RVN AND PRGRSVN ARMED FORCES, THEN IT WILL BE DIFFICULT TO CONCILIATE THE TWO POSITIONS.

"

4. DETERMINATION OF AREAS OF CONTROL

A; RVN COMMENT: " THIS WAS THE FIRST TIME THIS ISSUE WAS DISCUSSED THANKS TO THE INITIATIVE OF THE RVN DELEGATION IN COMPLIANCE WITH ARTICLE 3 B OF THE AGREEEMENT."

B. RVN POSITION: " THE DELIMITATION OF AREAS OF CONTROL OF EACH UNIT WILL FACILITATE THE MEETINGS OF COMMANDERS AND THEREBY WILL HELP AVERT CONFLICTS. THE AREAS OF CONTROL TO BE DISCUSSED AT THE TPJMC SHOULD BE MILITARY AREAS OF CONTROL, THAT IS, THE AREA OF CONTROL OF EACH UNIT SHOULD BE DETERMINED. EACH PARTY SHOULD DELINEATE ITS AREAS OF CONTROL ON THE MAP AND DISCUSSIONS SHALL BE BASED ON THIS FACTOR."

C. RVN DESCRIPTION OF PRG POSITION: " IT IS OF THE OPINION OF THE PRGRSVN DELEGATION THAT THE AREA OF CONTROL IS AREA MANAGED BY EITHER SIDE. IT IS NOT NECESSARY TO DETERMINE THE AREA UNDER EITHER MILITARY, ADMINISTRATIVE, OR POLITICAL CONTROL."

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PAGE 03 SAIGON 09075 231204 Z

D. COMPARISON: " THE RVN VIEWPOINTS ARE BASED ON NOTHING BUT REALISTIC FACTORS CONCERNING MILITARY AFFAIRS BECAUSE THE TPJMC IS ABLE TO DISCUSS ONLY MILITARY MATTERS AND NOT COMPETENT TO BRING UP MATTERS CONCERNING LIMITS OF POLITICALLY CONTROLLED AREAS. THE WAY THE PRGRSVN PUT FORTH THE ISSUE OF CONTROLLED AREA LEADS THE

DISCUSSION TO AN IMPASSE FROM THE VERY BEGINNING."

5. DETAINED MILITARY PERSONNEL:

A. RVN POSITION: " THE PROGRSVN SIDE SHOULD IMMEDIATELY RELEASE THE 410 RVN MILITARY PERSONNEL LEFT AND MAKE KNOWN THE NUMBER OF RVN MILITARY PERSONNEL STILL UNDER DETENTION IN NORTH VIETNAM LAOS AND CAMBODIA. THE PRG SHOULD ENSURE SAFETY OF RELEASE SITES. ESPECIALLY ALL MINES AND TRAPS IN THOSE PLACES BE REMOVED IN ORDER TO AVERT ACCIDENTS AS IT HAPPENED IN QUANG TRI ON APRIL 30 1973 KILLING 2 RVN OFFICIALS."

B. RVN DESCRIPTION OF PRG POSITION: " THE RVN GOVERNMENT SHOULD RETURN THE 210 PERSONNEL STILL UNDER DETENTION."

C. COMPARISON: " THE SEEKING OF FREEDOM OF 210 MILITARY PERSONNEL IN BIEN HOA WAS WITNESSED BY THE FPJMC THE ICCS AND NATIONAL PRESS MEDIA. THE RVN GOVERNMENT SHOULD NOT OBLIGE THEM TO RETURN TO THE POLITICAL REGIME THEY REJECTED. THE FACT THAT THE PRG CONTINUES TO DETAIN 410 RVN MILITARY MEN DOES NOT STAND ON ANY STABLE REASON AND CLEARLY VIOLATES THE 90 DAY (SIC) DEADLINE ON THE RETURN OF MILITARY PERSONNEL."

6. DETAINED CIVILIAN PERSONNEL

A. RVN POSITION: ZLTHE RVN HAS COMPLETED THE FIRST PHASE OF THE RETURN BY RELEASING 745 CAPTURED CIVILIAN PERSONNEL TO THE PRGRSVN WHILE THE PRGRSVN IS STILL DETAINING 252 RVN PERSONNEL THEREFORE THE PRGRSVN HAS NOT KEPT ITS COMMITMENTS WITH REGARD TO THE FIRST PHASE OF RETURN."

B. RVN DESCRIPTION OF PRG POSITION: " THE PRGRSVN CONTENTS THAT THESE 252 RVN PERSONNEL WERE NOT RETURNED BECAUSE THE RVN REFUSED TO RECEIVE THEM".

C. COMPARISON: " THE PRGRSVN IS USING SOPHISTICAL ARGUMENTATION. THE RVN PREVIOUSLY HAS RECEIVED ITS CAPTURED MILITARY AS WELL AS CIVILIAN PERSONNEL BECAUSE THE ICCS WAS PRESENT IN STRICT COMPLIANCE WITH THE PROTOCOL CONCERNING THE RETURN OF CAPTURED PERSONNEL. NOT ONLY DID THE PRGRSVN REFUSE TO ENSURE THE SAFETY FOR THE ICCS FLIGHTS IT ALSO MADE A NEW PROPOSAL A VERY UNREASONABLE ONE , I. E. THE RETURN SHOULD BE CARRIED OUT WITHOUT THE PRE-LIMITED OFFICIAL USE

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PAGE 04 SAIGON 09075 231204 Z

SENCE OF THE ICCS."

7. DEPLOYMENT

A. RVN POSITION: " THE RVN IS PREPARED TO PROVIDE MEANS FOR THE PRGRSVN TO DEPLOY ITS PERSONNEL AT ANY OVEL ANYTIME. FOR THE TIME BEING THE RVN ACCEPTS THE APPLICATION OF THE 11 POINTS OF PRIVILEGES AND IMMUNITIES THAT WERE FORMERLY ENJOYED BY THE FPJMC TO THE PRGRSVN DELEGATION PENDING THE CONSIDERATION BY THE PRGRSVN OF THE DRAFT OF THE NEW 11 POINTS OF PRIVILEGES AND IMMUNITIES THAT THE RVN HAS AMENDED TO MAKE THEM MORE SUTIABLE TO THE L PJMC."

B. RVN DESCRIPTION OF PRG POSITION: " THE DEPLOYMENT HAS MET WITH DIFFICULTIES BECAUSE THERE WERE NO GUARANTEE MEASURES. THE

PRGRSVN HAS PROPOSED THE SELECTION OF A WORKING SITE LOCATED ON THE DEMARCATION LINE BETWEEN THE TWO OPPOSING PARTIES, THE PERSONNEL OF EACH PARTY STAYING IN ITS RESPECTIVE AREA."

C. COMPARISON: " THE PRGRSVN PROPOSAL IS A REJECTION OF THE PROTOCOL CONCERNING THE JMC'S. IT IS USING THE LACK OF GUARANTEE AND OF PRIVILEGES AND IMMUNITIES AS A PRETEXT FOR NOT DEPLOYING ITS PERSONNEL. BUT THE FACT IS EVEN WHEN THE FPJMC WAS STILL OPERATIONAL AND GUARANTEES WERE FULLY OFFERED THE PRG HAS NOT FULLY DEPLOYED ITS PERSONNEL. MOREOVER OF THE 11 POINTS OF PRIVILEGES AND IMMUNITIES THERE IS ONE POINT OF GREAT IMPORTANCE TO THE PRGRSVN: THE SAIGON- LOC- NINH LIAISON FLIGHTS. THESE FLIGHTS HAVE BEEN HALTED AND THE PRGRSVN IS DEMANDING THEIR RESUMPTION, WHAT IS THE REASON FOR THIS INTERRUPTION? MANY JMC AND ICCS PLANES HAVE BEEN SHOT AT A NUMBER OF THEM DESTROYED, JMC AND ICCS MEMBERS KILLED. CONFRONTED WITH THIS SITUATION, THE RVN NATURALLY WAS FORCED TO DEMAND THE PRGRSVN TO GUARANTEE THE SAFETY OF THE SAIGON LOC NINH LIAISON FLIGHTS. BUT THE PRGRSVN MILITARY DELEGATION TO THE TPJMC REFUSED TO DISCUSS THE ISSUE. RECENTLY HOWEVER THE RVN MILITARY DELEGATION HAS DEMONSTRATED ITS GOODWILL BY AGREEING ON A JMC HELICOPTER LIAISON FLIGHT BETWEEN SAIGON AND LOC NINH ON MAY 11 1973. BUT ONE HELICOPTER WAS SHOT AT OVER PRGRSVN CONTROLLED AREA AND WAS FORCED TO MAKE AN EMERGENCY LANDING. FACED WITH THESE OBVIOUS FACTS THE PRGRSVN NOT ONLY IS STILL REFUSING TO ADMIT ANY OF ITS DUTIES BUT ALSO IS MAKING NEW DEMANDS. THE PRGRSVN COULD NOT BE MORE STUBBORN."

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